

Mr. Lyle Denniston
Baltimore Sun
1627 K St., NW, #1100
Washington, D.C. 20006

1/27/84

Dear Mr. Denniston,

Last year, when it was apparent to me that the government was again rewriting and negating FOIA through me I wrote you and several other reporters to let you know and because in defense of the Act I was technically in contempt. The DJ lawyer on the case actually threatened me to my lawyer, but when I refused to be intimidated by him or the rubberstamp judge on the case (John Lewis Smith) he was faced with charging me with contempt or opting other alternatives.

Thereafter Smith dismissed the case with prejudice. With this as precedent the government can demand discovery against every FOIA requester, which will negate the Act for wealthy as well as other requesters.

Aside from charging me with contempt the FBI/DJ could seek a judgement against me for the \$1053.55 awarded them as costs by Smith. It not only hasn't - it told my lawyer that it would not but instead would seek a judgement against him. ~~text text~~

I have just received and enclose the first page of their steps against him.

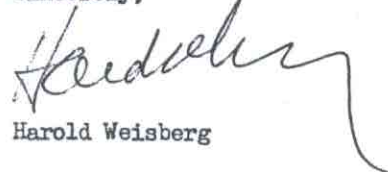
I guess it would be more accurate to say that they have a judgement against me that I am ignoring and they refuse to take steps to collect on, which would open up what I believe they do not want aired, the entire matter and all their mendacity.

Obviously they have other objectives in taking this step against my lawyer when the matter is on appeal, also enclosed. It is to intimidate him and other lawyers and to establish a separate precedent which will certainly discourage lawyers from taking FOIA cases.

It will surprise me if Smith hasn't already rubberstamped their motion. It is his practise, as it is his practise to ignore the evidence and the case record. Evidence can be and with him is irrelevant. So, they picked the right judge, one who had rendered them similar services in the past. I've not heard from my lawyer on this so I do not know the present status. But I cannot imagine Smith turning the DJ/FBI down.

The Reagan administration's campaign to control information appears to me not to be limited to the major media and to extend to records that can be the source of embarrassment to it and to the agencies.

Sincerely,


Harold Weisberg